

NOTICES OF RULEMAKING DOCKET OPENINGS

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening whenever an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

**DEPARTMENT OF AGRICULTURE
PLANT SERVICES DIVISION**

1. **Title and its heading:** 3, Agriculture
Chapter and its heading: 4, Department of Agriculture - Plant Services Division
Articles and their headings: 2, Quarantine
Section number: R3-4-239
2. **The subject matter of the proposed rules:**
This rulemaking updates the structure and format to meet the standards of the Office of the Secretary of State, clarifies language, adds pine straw as a commodity affected by the quarantine, and defines additional terms for clarity of purpose.
3. **A citation to all published notices relating to the proceeding:**
None.
4. **The name and address of agency personnel with whom a person may communicate regarding the rule:**
Name: Shirley Conard, Rules Specialist
Address: Arizona Department of Agriculture
1688 West Adams, Room 124
Phoenix, Arizona 85007
Telephone: (602) 542-0962
Fax: (602) 542-5420
5. **The time during which written submission may be made and the time and place where oral comments may be made:**
Written comments will be accepted Monday through Friday, 8 a.m. to 5 p.m., and oral comments will be accepted Monday through Friday, 8 a.m. to 4 p.m., at the address listed in question #4.
6. **A timetable for agency decisions or other action in the proceeding:**
The Department expects to file a proposed rulemaking by November 1998.

NOTICE OF RULEMAKING DOCKET OPENING

STATE BOARD OF EDUCATION

1. **Title and its heading:** 7, Education
Chapter and its heading: 2, State Board of Education
Articles and their headings: 11, School District Procurement Rules
Section number: R7-2-1156, R7-2-1158, R7-2-1181, R7-2-1182, R7-2-1183, and R7-2-1185.
2. **The subject matter of the proposed rules:**
The State Board of Education proposes to make amendments and add a new rule related to school district procurement. The amendments and new rule will address the issues raised in *R.L. Augustine Const. Co., Inc. v. Peoria Unified School Dist.*, 188 Ariz. 368, 936 554 (1997). Specifically, the 2 issues raised in the case were that the Board's procurement rules do not provide for judicial review (new rule R7-2-1183) and that the final decision-maker in a disputed matter should be one other than the district governing board. The rule amendments will provide for a hearing officer to conduct hearings related to disputed matters.
3. **A citation to all published notices relating to the proceeding:**
None published.
4. **The name and address of agency personnel with whom a person may communicate regarding the rule:**
Name: Corinne L. Velasquez, Executive Director
Address: State Board of Education
1535 West Jefferson, Room 418
Phoenix, Arizona 85007

Arizona Administrative Register
Notices of Rulemaking Docket Openings

Telephone: (602) 542-5057

Fax: (602) 542-3046

5. The time during which written submission may be made and the time and place where oral comments may be made:
To be announced with the Notice of Proposed Rulemaking.
6. A timetable for agency decisions or other action in the proceeding:
To be announced with the Notice of Proposed Rulemaking.

NOTICE OF RULEMAKING DOCKET OPENING

**DEPARTMENT OF TRANSPORTATION
MOTOR VEHICLE DIVISION**

1. Title and its heading: 17, Transportation
Chapter and its heading: 4, Department of Transportation - Motor Vehicle Division
Articles and their headings: 7, Miscellaneous Rules
Section number: R17-4-709
2. The subject matter of the proposed rules:
The Motor Vehicle Division proposes to make a rule that sets forth the procedure for ignition interlock device certification, provides for assurance of ignition interlock device reliability, and provides for assurance of ignition interlock device accuracy. The rule implements A.R.S. § 28-1382(G), as added by Laws 1998, Ch. 302, § 23; A.R.S. § 28-1383(K), as amended by Laws 1998, Ch. 302, § 24; and A.R.S. §§ 28-1462 and 28-1463, as added by Laws 1998, Ch. 302, § 31.
3. A citation to all published notices relating to the proceeding:
None published.
4. The name and address of agency personnel with whom a person may communicate regarding the rule:
Name: Lynn S. Golder, Rules Attorney
Address: Department of Transportation, Motor Vehicle Division
4747 North 7th Avenue, 3rd Floor
Phoenix, Arizona 85013
Telephone: (602) 255-7941
Fax: (602) 241-1624
5. The time during which written submission may be made and the time and place where oral comments may be made:
Written comments will be accepted at the location listed in question #4 between 8 a.m. and 5 p.m., Monday through Friday. Oral comments will be accepted at the location listed in question #4 between 8 a.m. and 5 p.m., Monday through Thursday.
6. A timetable for agency decisions or other action in the proceeding:
Concurrently with the rulemaking proposed by this docket opening notice, the Motor Vehicle Division is undertaking emergency rulemaking in accordance with A.R.S. § 41-1026. The Division anticipates having the emergency rule in place no later than November 30, 1998. A timetable for the rulemaking proposed by this docket opening notice has yet to be determined.

Index

INDEX

This Index lists all rulemaking activity on rules appearing in this volume year of the *Register*. Rules are listed by Title and Chapter in numerical order. Headings for the Subchapters, Articles, Parts, and Sections do not appear in this Index. Please refer to the Notices which begin on the page number listed immediately after the code. Codes for the rulemaking are as follows:

PN	=	Proposed new Section	XN	=	Exempt new Section
PM	=	Proposed amended Section	XM	=	Exempt amended Section
PR	=	Proposed repealed Section	XR	=	Exempt repealed Section
P#	=	Proposed renumbered Section	X#	=	Exempt renumbered Section
S	=	Supplemental Notice	RC	=	Recodified
PSMN	=	Proposed Summary new Section	SPN	=	Supplemental new Section
PSMM	=	Proposed Summary amended Section	SPM	=	Supplemental amended Section
PSMR	=	Proposed Summary repealed Section	SPR	=	Supplemental repealed Section
PSM#	=	Proposed Summary renumbered Section	SP#	=	Supplemental renumbered Section
ASMN	=	Adopted Summary new Section	[AG]	=	Approved by the Attorney General
ASMM	=	Adopted Summary amended Section	GC	=	Approved by the Governor's Regulatory Review Council
ASMR	=	Adopted Summary repealed Section	EN	=	Emergency new Section
ASM#	=	Adopted Summary renumbered Section	EM	=	Emergency amended Section
FN	=	Final new Section	ER	=	Emergency repealed Section
FM	=	Final amended Section	E#	=	Emergency renumbered Section
FR	=	Final repealed Section	RE	=	Renewal of Emergency
F#	=	Final renumbered Section	RJ	=	Rejected by the Attorney General
PXN	=	Proposed Exempt new Section	T	=	Terminated
PXM	=	Proposed Exempt amended Section	PNC	=	Corrections to Notice of Proposed Rulemaking
PXR	=	Proposed Exempt repealed Section	PSNC	=	Corrections to Notice of Proposed Summary
PX#	=	Proposed Exempt renumbered Section	FNC	=	Corrections to Notice of Final Rulemaking

This Index Covers Issue 31 of Volume 4.

Administration, Department of

R2-1-701. FR-308
R2-1-702. FR-308
R2-1-703. FR-308
R2-1-704. FR-308
R2-1-705. FR-308
R2-1-706. FR-308
R2-1-707. FR-308
R2-1-708. FR-308
R2-1-709. FR-308
R2-1-710. FR-308
R2-1-711. FR-308
R2-1-712. FR-308
R2-1-713. FR-308
R2-1-714. FR-308
R2-1-715. FR-308
R2-1-716. FR-308
R2-1-717. FR-308
R2-1-718. FR-308
R2-1-719. FR-308
R2-1-720. FR-308
R2-1-721. FR-308
R2-1-722. FR-308
R2-1-723. FR-308
R2-1-724. FR-308
R2-1-725. FR-308
R2-1-726. FR-308
R2-1-727. FR-308
R2-1-728. FR-308
R2-1-729. FR-308
R2-1-730. FR-308
R2-1-731. FR-308
R2-1-732. FR-308

**Administration, Department of -
Government Information Technology
Agency**

R2-18-101. PN-202
R2-18-201. PN-202
R2-18-301. PN-202
R2-18-401. PN-202

**Administration, Department of -
Personnel Administration**

R2-5-307. PR-866
R2-5-902. XR-1130; XN-1130
R2-5-904. XN-1130

**Administration, Department of - Water
Quality Appeals Board**

R2-17-101. FN-319
R2-17-102. FN-319
R2-17-103. FN-319
R2-17-104. FN-319
R2-17-105. FN-319
R2-17-106. FN-319
R2-17-107. FN-319
R2-17-108. FN-319
R2-17-109. FN-319
R2-17-110. FN-319
R2-17-111. FN-319
R2-17-112. FN-319
R2-17-113. FN-319
R2-17-114. FN-319
R2-17-115. FN-319
R2-17-116. FN-319
R2-17-117. FN-319
R2-17-118. FN-319

R2-17-119. FN-319

R2-17-120. FN-319

R2-17-121. FN-319

R2-17-122. FN-319

R2-17-123. FN-319

R2-17-124. FN-319

R2-17-125. FN-319

R2-17-126. FN-319

R2-17-127. FN-319

R2-17-128. FN-319

App. A. FN-319

App. B. FN-319

**Agriculture, Department of -
Administration**

R3-1-102. PM-1652

**Agriculture, Department of - Animal
Services Division**

R3-2-102. PN-1654
R3-2-407. FM-585
R3-2-612. FM-585
R3-2-615. FM-585
R3-2-701. FR-618; FN-618
R3-2-702. FR-618; FN-618
R3-2-703. FR-618; FN-618
R3-2-704. FN-618
R3-2-705. FN-618
R3-2-706. FN-618
R3-2-801. P#-1540; PN-1540
R3-2-802. PR-1540; PN-1540
R3-2-803. P#-1540; PM-1540
R3-2-804. P#-1540; PM-1540
R3-2-805. PR-1540; PM-1540